was doomed, and that their barbarous institution itself must fall, unless they could establish the doctrine of the supremacy of the States, that slavery was the normal condition of all in whom there was negro blood, and that it should be extended over newly acquired territory upon which no slave had ever trod!

So soon as Southern leaders perceived that the North-ern couse cace would revolt at such monstrous propositions, they set about the destruction of the Union, and planned the formation of a Confederate Government. No concessions, no Union saving conventions, no sermons from whey-faced preachers of the North, "Clothing their naked villany with old odd ends, stol'n forth of Hely Writ " could satisfy the South ; they made war ; and on the 12th of April, 1861, they commenced the bemberdment of Fort Sumter!

You know the rest! We pass over the horrors of that war; four years of carnage, and of bloody death! Five war! four years of carriage, and of shooty death? Five hundred million of treasure was wasted. Five hundred thoesand American citizens were hastened to their staves! Who broke up this peaceful, happy, benign government and draped the land in mourning? Not the North, surely. Well; Lee surrendered at Appointtox in April, 1865; the robel armies were dispersed; Jefferson Davis was a fugitive, and then a prisoner about to be tried for his life, and President Lincoln was murdered. The Nation had had enough of war, and all received the phrase, "Let us have peace." The South was vanquished, prestrate and exhausted; ready to accept any terms which the victorious North might im-

PRESENT ASCENDANCY OF THE SOUTH.

Suppose that some prophet had then said to the North: "On the 4th of March, 1879, these whom you now call ' prostrate rebels' will deminate both houses of Congress in your Capitol at Washington; the eleven Confederate States will have on that day, in the Senate and House, ninety-three Representatives! Of these, rebel States. On that day twenty rebels will set in rour Secute, who fought to destroy the Union, with your senate, was fougat to assert the Confederacy. In the flouse sixty-five Confederate soldiers will proudly take their paices to legislate for their conquerors, and block the wheels of Government by withmoding sup-plies, unless at their bidding the wholes me have are repealed which loyal men passed to preserve the purity of elections."

repealed which loyal men passed to preserve the purity of elections."

Would you not have read to him the Fouricenth Amendament to the Constitution, showing how impossible was the fulfilment of such prophecy? Would you not also have shown the manners of the prediction by reading the Fifteenth Amendment, and if he had answered you that terror, torture, the shotzun and the haiter would drive every loyal voter from the polis in the entire Confederacy, and that the disabilities imposed by the third divison of the Fouricenth Amendment would all be removed, would you not have thought such prophecies the rayings of a hinatte?

And yet the number of Confederates that I have named, true both houses of Congress he-day; and of the named, true both houses of Congress he-day; and of the name of the Fourice who, in the criss of our fair, and at the President of the rehe's in the House, with the Senate, and left boxes, which there soon! Both legislative branches of the Govern-

Hampton is in the Senate, and Jell Bayts is heavy to be there soon! Both legislative brusches of the Govern-ment are ruled by the Confederates, and they loads that next year they will have the executive also. To a is no tile boast. It seems do to those who contemplate only the superior intelligence, wearth, and the vasily presentenating numbers of the North, and who do not understand how a President is elected.

EVILS OF THE ELECTORAL SYSTEM. I dare say that some of you fancy that you have voted directly for a particular man to be President of the United states. You have done nothing of the kind. You have only voted for Electors to choose a President for you. The framers of our Constitution did not think that the people could be trusted to express their direct will, and they contrived that the people might select a few men called "Electors" to choose a President for them. The system is most victors. Under it Presidents en, and will be chosen in opposition to the direct vote of the people.

Let me snew you how it works. You vote once in four years for Presidential Electors. Each State has just as many Electors as it has Senators and Representatives

grosser fraud upon the people grows out of the system in another way.

Take the State of New-York, which is called a "doubtful State;" and Wisconsin, Maine, Massachusetts and 
Vermont, which are considered Republican States. A 
fair estimate of the vote for next year is 1,100,000 for 
New-York, and for Wisconsin, Maine, Massachusetts 
and Vermont together, \$60,000. New-York has the 
same Electoral vote and counts exactly the same in 
Electoral College as the four States has hamed. Now, if 
New-York goes Democratic by 1,000 majority, she 
leaves 549,000 votes of the State unrepresented in 
classing a President; and if in the four Republican 
Sintess mentioned, the Democratic vote should be only 
4,000, then you would have 1,315,000 Republican votes 
exactly behaveed in a Presidential election by \$51,000 
Democratic votes!

But let us go South and see how elections so there.

white Republican in Congress and not a colored heavelet.

What means this sudden disappearance of 317,346
Republican votes from these four States. We are told
that the Southern clomate is unhealthy for Republican
votes, and that they have all died out? Refore the war
five shaves added three votes to the white man's count.
Now, five negroes add five votes to the white man's count
in the election of President, Emancipation incount in the election of the colored votes,

Remember that if two States have each 400,000
voters, and each is entitled to foorteen dectors, the
electors chosen in one State by 200,001 votes with have
the same votes in che sing a President as the fourties in
electors in the other State chosen by 400,000 voters.

You see that the South has gained thirty five electoral
votes by emancipation, and that under our unequal system, if the South drive every freedman from the poils
the South will have precisely the same electoral vote as
though overy colored man voted the Confederate ticket.

Hence, you see why, by voicence by terror and by
attroction anonumbered, the freedmen are disfranchised.

Turn to the ceusas of 1870; make any reasonable calculation for the charges ance, and you shall see that
the population of New York is just about the same as
the white population of the eleven Confederate States,
and that her wealth is just about three times the wealth
of all these eleven. States together, Against the thirtyfive electoral votes of the State of New-York, with her
intelligence and her wealth so many times larger, and
with a population hearty equal to the white population
with a population hearty equal to the white population.

five electoral votes of the State of New-York, with her intelligence and her wealth so many times larger, and with a population nearly equal to the white population (which above casts the electoral vote) of these States, how many electoral votes do you think these same States cast i Ninety-five.

IMPORTANCE OF NEW-YORK IN THE CONTEST. Fellow-catazens, how do you like the working of this electoral system, since the slaves are freed and our Somhern bretaren have come back into the Union i You perceive there is some danger. By a large majority the popular will may express used in favor of your condidate, and yet the electoral vote may give the Presidency to another; and this mocacry we call " free election by all the votes of siree people."

How, then, can we escape the danger ! Not by senti

mental emotion, not by throwing up our bands and ex-

How, then, can we escape the danger? Not by sent; mental emotion, not by throwing up our bands and exclaiming what freewood is majorities. Massachusetts or Vermont, Pennsylvania or lowa will give. In a Presidential contest it matters not whether their undorties are five or five hundred thousand; it is all the same. Our only way is to occure the endours; and to do that is to accure the endours; and to do that is to accure the endours; and to do that is to accure the endours; and to do that is to accure the endours; and to do that is to accure the endours; and to do that is to accure the endours; and to do that is to accure the endours. It is all the same. Our only way is to secure the endours; and to do that is to accure the endours. It is all the same of the real to accure the power, with three votes to spare. Morion is dead; and Indiana assach; the private to the South transfer the power, with three votes to spare. Morion is dead; and Indiana as fairly challed by the South; that heaves Newyfers about 6 or five great butter; sad here the last had its force above for five great butter; sad here the last mad struggle to be read summer of the circulars of the Emon will be fought. Next year we take the consist; after that, there will be sent the forceroment at the next election.

Wethout New York the Confederates have no chance of viology; without New York the Republicans have no better chance. Elect your take this fail and the Presidential contest will be easy. The prestige of success, and the possession of the government of this great Shit steadies the wavering and assures the rest.

A better ticket was hever presented for your votes. I have but time to speak of him who is numinated for Governor. I dare say that some of our may have preferred monther. It is always so, but no introduced man will say that Mr. Connell will not make an exceedent Governor; and when we go to war, we sak who can lead us to victory, not whom do we like best. No may have been a homor to the name he bears and not the Capital at him, and th

CONSEQUENCES OF A DEMOCRATIC VICTORY.

the enemy carry it, we can safely predict some things will be transferred to the rule of the Confederates. Swiftly following the transfer of power, you will find that distrust about the financial question returns, that Northern capital timidly retires, that labor ceases to be in demand, that new enterprises are abandoned, and that the bright confidence and australeous dawn of pros-perity, but lately begun, will grow dark with gloomy apprehension.

apprehension.

A demand will be made that the freed slaves shall be paid for, that Southern damage claims shall be scilled, that the emancipation proclamation, the new amendments to the Constitution and the reconstruction acts shall be declared void; that the Union and Confederate soldiers shall be alike pensioned; and that each State shall be declared sovereign, with full power to create banks of issue without let or hindrance from the Federal Government!

declared sovereign, with full power to create banks of issue without let or hindrance iron the Federal Government!

Do you doubt this! Of course many of you do. You would not believe that the sacred pledge offreedom, called "the Missouri Compronise," could be chanciessly violated mati the infamous deed was done. You would not believe the South meant war until Fort smuter fell. Now, the South boldly tell you what they are going to do; and again you will not believe them. They do not propose to seeced and leave you in possession of the Army, the Navy, the Treasury, the Federal Courts, the Capital, the archives, and all the machinery of an established government, in full and friendly recognition by all the powers of the carth. They propose to lake your government into their own hands. They have grown wiser. If they can once get control of the Government they will role with releatless hand, and make you pay back, with interest, all that they lost by the war.

How are you to help it? Do you point to the constitutional amendments? They proclaim them "void." It is well known that each man has kept a list of the number and value of his shaves. With President and Congress in their interest, they can pass a law for the payment of their claims. The Secretary of the Treasury pays it in obedience to law (I do not mean Secretary see mean white? And who would enforce the Treasury wars it in obedience to law (I do not mean Secretary see mean white? And who would enforce the mandate of the Court, if you get one? Armed governments mover trouble themseives about mandates of a Court, if stood in the way. But perhaps you say that you would resist such wrong hydrore. Wond you? We should find our serves well take the mandate. A pair of Confederate soliciers would take care of the Court if it stood in the way. But perhaps you say that you would resist such wrong hydrore. Wond you? We should find our serves at a disadvantage in such a contest with the organized power of this great Government. and many a pillaged city would smoke, and m

THE POLICY OF CONCILIATION A PAILURE. President Hayes received in the cleven Confederate States 785,000 Republican votes. He was not suspected of being over harsh toward that rebellious people. On the centrary, his great desire for brotherhood and peace led him to many acts of generous concellation which elicited sharp criticism from his party. Before two years of his centle administration were passed, those who voted for him in the South were by intimidation who voted for him in the souls were you has learned what every Northern President and every Northern statesman who went before him learned, that no conclination, no soft words, no generous deeds will ever pacify the South. Mr. Hayes has evidently had enough of the experiment; his robust, patriotic speech at Yomestown shows that he understands the situation, and that the same good sense which prompted his admirable vetoes will wisely sinde him intrough his admiristration. I am giad that Mr. Hayes adopted the policy of emeilation toward the South. This it was greatly wise. It was a necessity, considering the state of the public mind. Had it not been done, the Northern sentimentality would nover have been satisfied.

Had the plan succeeded, it would have been well; having fadled utterly, it proves that endless conciliation is not the remedy for Southern troubles. It proves what had been preved before, that Northern majoranity, Northern scattiment and Northern character are whotly unappreciated by the South. They stand upon a lower plane. They breathe an annosphere of demi-barism; they cannot understand the larger bumainty and the more calightened conscience of its North. Slavery blusts the moral sense and ortifalizes the passions. It stamps its curse too deep to be wiped out in a single generation.

CONFEDERATE CONTROL IN CONGRESS. or violence driven from the polls. Mr. Hayes has learned

CONFEDERATE CONTROL IN CONGRESS, We have a clear forecast of what the enemy will do by looking at what they have done. So soon as was together. Each State prescribes its own mode of choosing its Electors. In this state year value of the President in the same proportion. These Electors much to what is the year of the Electors much to what is the same proportion. These Electors much to what is to same proportion. These Electors much to what is to same proportion to the President. They may choose a man whom not a voter ever induction, but the practice of later years the Electors have chosen the one whom their party nominated in convention, but that is not necessary, and man electroney it may not be come. But a covert and grosser frand apon the people grows out of the system in another way. Confederates. In each case the majority of the commit-Confederates. In each case the majority of the committee is Democratic; and in every case a majority of that majority is Confederate. All important measures are determined in caucus, and the Confederates are a majority in every caucus. Gentlemen of the South, you over-play this little game; you show an unfair advortness for which we are not prepared. You have so contrived every committee as to give the control to the Confederates—and the legislation in Congress is all shaped by the committees. We concede that you are solld, and that we of the North are slow to wake up. But do you mean to wake us again to the drum-call?

The South have always had some pretended grievance with which to represent the North. In 1824, it was because trade was pretty free and the North grew rich on commerce.

After the process of the process of

Their present grievance is that the North will still recomber some of the atrocities of the war. In decision, they call this "The Bloody Shirt," and with small piping voice the doughfaced, knock-kneed idiots of the North ery feebly " Bloody Shirt."

But while massacres like that of the Chisolm family, murders like that of Dixon and of Bryce, horrors like those on the Southern Mississippi, recently made public by the memorial of Judge Dilton, the Mayor of St. Louis, Senator Henderson and others, atrocities which have hately driven thousands from their homes, to brave cold and hanger, nakedness and death, rather than remain in that abode of cruelty, contains, you will not bury in oblivion the memories of the past through fear of mockery from your fees.

When Whilam, the great Conqueror, the son of the

When Wilsiam, the great Conqueror, the son of the Duke of Normandy by Arietias, the handsome anugater of a tanner (whom, from a window of his castle, the Duke first saw washing clothes in the brook), bold as army before the revolted town of Alengon, the besteged mang raw hides along the walls of the town with the perting ery. "Work for the tanner." The young hero re-membered his mother with love. He was not asimmed of a hide for his banner, and the reviews of his mother perisned before his flery onset as stubble before the flames.

flames.

We be the day when for battle-banner the "Bloody Shrond" shall be unfurled, and extract men tread onward to the fray! The bloody correst of Lacretia drove the last Tarquin from Rome, and two "crimsoned garment" now mocked at by food may yet rouse a people more wildly than did the bent upon the buman skin,

the last Tarquin from Rome, and two "crimsoned garmen" now mocked at by fools may yet rouse a people more wildly than did the best area. The twist a people more wildly than did the best area. The son of a tanner has just landed on our shores; I hope that be will not be called to do the kind of work which the Norman Tanner did. But if he is so called he will do it thoroughly. I have seen him where Sovereign, and Princes, Amhassaders and Nobles rose up to do him reverence—caim—seifpoised—unruffled as a sphinx. He is wiser than when he went away; of broader intelligence; loftler in tone; more exalted in his moral nature. But he will retire to his home in Galenn the same single-minded, unpretending, torac and honest man; a fitting product of our noble institutions.

Pardon me for detaining yen so long. But a word more and I have done, I have snoken of the future as it unrois to the eye of the mind; of the present and of the past, as truthful history will record them. I have not spoken with the least feeling of personal hostility toward any individual in all the Confederacy. I, like all the North, would gladly treat them with generosity, if they would manifest any sagn of loyalty, justice or duty. But I abhor their preposterous assumption, their crucity to the treedmen and to the uttermost their audgenous and insuffice to gain by violence and fraud the control of this Government, which Northern valor preserved, and which Southern treason almost to deserve we ensured four years of terrible war. We have passed through it we years of heavy depression and much suffering, consequent upon that war. By patience, by self-demai, by persistens effort, against foces, even of our own household, we have restored the credit and financial stability of our country. Confidence has returned, abor is in demand, wages are advancing. Tac the defend denial, by persistent effort, against foes, even of our own household, we have restored the credit and financial stability of our country. Confidence has returned, labor is in demand, wages are advancing. The tide of emigration again sets in. We have sold within a year \$500,000,000 of our products abroad, and every week brings heavy shipments of gold to our ports. The most auspicious dawn of a prosperous future opens before us! Shall it be turned to sudden might! Teali upon the people of this great State to come up once more to the battle for freedom and human rights. Carry the State tins Fall, and the strice is nearly over. Then the prosperity which has so happily begun may continue, and we may fairly count upon long years of peace, and brotherhood with our recent foce, and see the South, "sitting, clothed, and in mer right mind," devouily thanking God that He did not "leave her to cat of the full of her own way and to be filled with her own devices."

After singing by the Union Gice Club, Mr. Marsh in troduced General N. P. Banks, of Massachusetts, who after eulogizing Presidents Lincoln, Grant and Hayes, called upon his auditors to follow, in their actions, the well known views of these distinguished men. He ther referred in strong terms to the dangers threatening the Let us expaore the consequences of neglecting to carry the state two Annuals. If we do not earry it this year, but state two Annuals. If we do not earry it next; and if mechanical and industrial industries of the country the country to next; and if

SPEECH OF GENERAL BANKS.

Would it pay the Nation's debts! Would it give the soldiers their pensions! The endeavor of the Democrats would be to recover all that they had lost. They would not care soything about the peace, houre or prespectly of the Nation. He called upon all Republicans to sink minor differences of opinion and to strive in every possible way to preserve the country. The South had done nothing to show that the Government of the country could be safely transferred to it.

THE REMNANTS OF FORTY TRAMPS.

WITHDRAWAL OF FOUR MORE WEARY WALKERS

FROM THE CONTEST IN MADISON SQUARE GAR-DEN. Of the forty men who began the walking-

match on Monday, only fourteen started yesterday norning, and even this number was considerably reluced before the end of the day. Ring, who finished the necessary 110 miles a minute after midnight, did not are to go through another day of torture. Hanlan was the next to withdraw. He made two miles the first hour, seven laps the next, and then retired with a score of 112 miles. Harriman was the favorite in the morning, but was complaining of a sore knee. He walked four miles the first hour, although it was evident he was suffering great pain. In the next two hours he covered only six miles and took the fourth place in the race. It was then announced that his knee was too sore to allow him to continue walking. His withdrawal was a great sur-prise. Fitzgerald next became the faverite, and the bookmakers offered two to three on him to win. Vint was even with Fitzgerald on the score, but the bookmakers were beiting three to one against him. These two contestants were very jealous of each other, and for over two hours they dogged each others steps. They were constantly changing places, Fitzgerald at one me ment being at the head of the list, and then falling behind Vist. The distance between them in the afternoon averaged about one lap. Campana crawled up to third place in the morning, hoping to stay on the track until everyone was fatigued. At 3 o'clock he was only two miles behind the first man, and looked as fresh as any other contestant. Fitzgeraid and Vint watched him closely. The bookmakers were betting 6 to 1 against him to win. There were a great many who backed "Old Sport" at these odds, and the bookmakers were coupelled to enange them. Hughes was limpling badly, and it was only with the greatest effort that he managed to lift his feet. Colston was the fourth man and a great

lift his feet. Colsion was the fourth man and a great layorite with men who place a money value on their opinions. He is a tall, stout German, of wonderful flaysique, and looks as if he had more endurance than any of the other walkers.

Woods, the boy walker, yesterday had to be satisfied with seventh place. He attracted the attention of all the spectators, however, who pronounced him the "plucklest of them all." When he went on the track in the norning he was stek. After his long rest his limbs were in good condition for walking, but his other attent was a drawback. He ran a few laps every little while, but would have to retire to his house immediately afterward. The men all look work out, and some beta were made that every man who remained on the track until Saturday night would be a prize winner, or in other words, that not more than five men would last until the end.

ether words, that not more than five men would last until the end.

The largest crowd that has yet gathered at the match was present in the evening. This was probably due to the announcement that O'Leary and Hart, the darkey who competed for the Asticy Belt, would walk a number of miles together. They started at So 'clock and travelled over six fulles in one hour and three minutes. Hart then walked four indies more. When he went aloue the other men fired to seep pace with him, but were finally stopped by their trainers. There were cleven of the contestants on the track, Perrine having retired with 116 miles. The resultive positions of the men did not change materially. The efforts of Vint to obtain the lead over Fitzgerald created considerable excitement.

Each man was obliged to cover 165 miles by midnight in order to enter to-day's contest. All those who remained on the track accomplished the necessary number of miles. The following is the score:

Names.	Miles.	Laps.	Names.	Miles.	Laps
Fitzgerald Vint Campana Canston Hughes Waters	381	1 4	Prenss	176 175 172 163 165	4

ATHLETIC SPORTS-THE CREW AND THE BALL CLUB -ITEMS OF COLLEGE NEWS.

FROM AN OCCASIONAL CORRESPONDENT OF THE TRIBUNE. NEW-HAVEN, Conn., Oct. 14 .- Harvard's acceptance of Yale's challenge to row an eight-cared fourmile race, with coxswains has given a stimulus to the | provement Company and the Gilbert Road for the buildathletic pursuits of the college. The following men will try for the University crew: Spencer, King, Innis and by Mr. McCook. Keator, '80; Fuller, Collins, Guernsey and Keller, '81; Storrs, '82; Hull, Polsom, Rogers, Smith, '83; Patter son, Law School; Rogers, S. S. The candidates "took to the water" te-day for the first time. A strong endeavor is being made to obtain the services of Mr. Fred. Wood, S. S., '70, in coaching the crew.

The treasurer of the ball club reports that the receipta last year were \$2,976 38 and the expenditures \$2,577 36, leaving a balance of \$300 02 to begin another year with.

The tootball team is hard at work. So many have been injured already that there is no certainty about getting fifteen " whole " men to play Harvard.

G. Smith.

A Junior, being asked on examination to give the finest extract from "The Tempest," wrote the following:

"Hark! back! I bear The strain of strutting chanticleer Cry, cock-a-doodle-doo."

Cry, cock-a-doole-doo."

Professor (filustrating a point to Junior)—" Are you the lineal descendant of your father?" Junior—" I don't know, sir."

The Corporation and not the Faculty will decide whether the extra week of vacation shall be at Caristons of Easter. Peditions have been landed in from all the classes asking for the extra week at Christmas.

THE TRAGEDY AT A BALTIMORE THEATRE

BALTIMORE, Md., Oct. 15 .- John M. Nelson, the medical student who was shot last night at the FrontiStreet Theatre, died shortly after 3 o'clock this morning. He was twenty-three years of age. He was the son of a farmer in Queen Anne's County and the present was his second session at the Medicul School of the University of Maryland. Young Nelson, after attending college yesterday, went last night with his brother-in-law to witness the performance at the Front Street Theatre. They were seated side by side in the front row of seats in the orchestra circle. At the close of the performance, as the curtain fell upon a tableaux scene, there was a discharge of mesketry. Young Nelseene, there was a discharge of messerry. Young Nelson was gazing intently upon the scene, and simultaneously with the report of the suns he clusped his hands to his forehead, exclaiming "I am shot," and sank do wn moonscious. A large-size Miné bail had passed through his skuil, entering the torchead just above the right eye and passing out at the back of the heat on line slightly downward, bringing portions of the brain with it. It is said that of the five muskets handled on stare only three weller. ly three were discharged. A coroner's fury

SECRETARY THOMPSON'S INSPECTION.

FORTRESS MONROE, Va., Oct. 15 .- Last evening Secretary Thompson held a council on board the Powhatan, at which Admiral Wyman and the captains of the vessels of the fleet were present. The Socretary then visited the flagship, where he was entertained with target practice, the explosion of torpedoes, and exercise with a Gatling gan from the top to sweep an enemy's deck; after which he returned to the Tallapoosa. At 3 o'clock the Naval Brigade, 1,200 strong, were landed. The fleet consisted of thirty boats and five steam launches. They formed in line and moved to the shore at the top of their speed, presenting a beautiful spectacle. The men disembarked and marched into the lort. The Secretary and his friends will leave for Washimston to-night. The Minnesota will return to New-Yors. The schoolships will go to Yorktown, and the rest of the fleet will awalt orders. of the vessels of the fact were present. The Socretary

AMERICAN GASLIGHT ASSOCIATION.

PHILADELPHIA, Oct. 15.-The American Gaslight Association began its seventh annual session here this morning. The following officers were elected for the

coming year!

President—W. H. Price, of Cleveland, Ohlo.

Presidents—General A. Hickenlooper, of Cincinnati, Ohlo; J. P. Harrison, of Hartford, Conn.; G. A.

McIlinenny, of Washington, D. G.

Secretary and Treasurer—Whitham H. White, New-York

Chip.

Process Committee—John S. Chambers, of New-York 1.

Finance Committee—John S. Chambers, of New-York; hechald Forstan, of Lewisiana, and A. B. Slater, of Ehode Island.

Executive Committee—Henry Cartwright, of Pennsylvania; F. C. Sherman, of Connecticut; A. C. Wood, of New-York; George S. Hookey, of Georgia; James M. Harr, of Indiana, and P. T. Burtiss, of Illinois.

THROWN FROM A HORSE AT NEWPORT. NEWPORT, R. I., Oct. 15 .- A son of the late John Winthrop Chapler, who is spending the season THE RAILWAY INQUIRY.

EXAMINING RAPID TRANSIT MATTERS. TESTIMONY OF W. R. GARRISON, J. F. DE NAVARRO AND BENJAMIN BREWSTER-DETAILS OF THE CONSOLIDATION-THE WATERING OF STOCK-

LOW FARES. William R. Garrison, J. F. de Navarro and Benamin Brewster testified yesterday before the Assembly special committee on railroad management in regard to the organization of the rapid transit ompanies, their stocks and bonds, the cost of the lines, and the details of the consolidation. The question of low fares was also brought out. Chairman Hepburn remarked as one conclusion from the testimony that there had been a watering of stock on the Metropolitan Line to the amount of \$6,000,000. The Standard Oil Company was taken up again at the close of the session.

THE TESTIMONY.

W. R. Garrison testified before the Assemly Committee that the Manhattan Company, of which he was president, was organized under the rapid transit law, and operated both the New-York and Metropolitan Roads. Although the two roads were leased to th Manhattan Company January 31, 1879, the lease was not signed until May 20. Previous to that date the Manhattan Company operated no road. It had some paid capital, but what was done with it the witness could not tell. The terms of the lease provided that \$13,000,000 should be divided equally between the Mcropolitan and New-York Companies. The capital stock of the latter was \$6,500,000, and its bonded indebtedpess \$8,500,000. It had still the right to build above the Hariem. The Manhattan Company did not intento issue any bonds, as the witness understood the matter. Under the original articles of ausociation its capital stock was to be \$2,000,000. This was increased last Spring. The amount paid in, as called for by the Rapid Transit Act, was 5 per cent, or \$100,000. No cash was paid in when the capital stock was increased to \$13,000.000. The \$6,500,000 received by the Metropolitan Company was given to the New-York Loan and Improvement Company, which built the road. The bonded issue of the Metropolitan Company was \$5,300,000. All of the stock to be issued had been issued, and all except \$3,000,000 or \$4,000,000 of bonds had been issued. To Mr. Sterne's question as to what proportion of the net earnings o the New-York Company had been paid into the City Treasury, Mr. Garrison replied : " Five per cent, I beneve, on its whole route. I am speaking of the past." Mr. Sterne-" How about the Metropolitan I"

"They are required to pay 2 per cent of the amount of their dividends."

The actual cost per mile of the Metropolitan Road, Mr. Garrison said, was over \$800,000. The cars cost \$3,400 each, and the engines from \$5,000 to \$5,500. The road had 50 engines and 150 cars. The capital stock of the Loan and Improvement Company \$3,000,000. This capital was paid in by call as the money was required. The whole amount was not paid in before the contract with the Gilbert Road. The Loan and Improvement Company made a contract to build the road, and was to be paid so much per mile. part in steek, first mortgage and second mortgage bonds. The company divided a portion of the stock among its subscribers, and put a part of the bonds on the market. The proceeds of the bonds went to build more of the Metropolitan Road. The \$6,500,000 received by the Metropolitan had not been distributed. The Loan and Improvement Company was composed chiefly of stockholders of the Metropolitan Company. Thus the Loan and Improvement Company held the original block of stock and also the \$6,500,000 received by the Metropolitan Company from the Manhattan Com pany. This sam was still in the treasury of the Loan and Improvement Company. When cross-examined by John J. McCook, counsel of

the Manhattan Company, Mr. Garrison said that no divi-dends had been declared yet. On the re-direct examination, Mr. Garrison said that no provision had been made to meet the possible judgments against the company in

suits brought by property-owners.

José F. de Navarro was then called. Before he began histestimeny the contracts between the Loan and Iming and equipment of the latter by the former were read

Mr. Navarro said that he became connected with the Loan and Improvement Company in the Fall of 1875. He was then a director in the Metropolitan. The nom-

the decision of the Court of Appeals. The consolidation, he said, was forced on the two roads on account of the danger of collision where it was ntended the reads should cross. Members of the Legispature said that the roads must settle the difficulty them selves, and not let it come into the Legislature. The stockholders would have given anything to have avoided the consolidation. Mr. Navarro said that he had great difficulty in persuading the members of his board to advocate the change. He and Mr. Baird were the only ones in favor of the consolidation. At the time of the consolidation \$450,000 of the mortrage on the Metropolitan Road was cancelled by the Lean Company the consideration being that the profits in the lease were to be paid to the Loan Company, under what is called the "tripartite agreement."

THE QUESTION OF LOW PARES. The witness said that the question of low fares had been discussed somewhat. He thought that perther the public nor the road would be benefited by a reduction of fares. The risks incurred were too great. "What do you mean by risks !" asked Mr. Sterne. "Well, the fluancial risk and otherwise. We might meet with mis-haps. It is a new thing." "But the structure has been tested ?" "Yes; but there never has been a railway en terprise in the country capitalized so low as ours, con sidering the risk." The assessed valuation of the city had been increased \$100,000,600 by the road, he said. This was the road's return to the city. The original risk was that the courts would decide against the road, and that the contracts would nevertheless have to be fulfilled. Commodore Garrison and George M. Pulmou were the only two men whom he could at first persuade to forn him in the enterprise. W. H. Vanderbilt said that no one would go up stairs in order to get on a train The witness thought that the value of property on or

near Sixth-ave, was increased generally, The c ost of the Metropolitan Road was over \$800,000 per mile, exclusive of interest. He thought that the ex pense would be 40 per cent greater new if the road were to be built again. The noise had decreased 50 per cent since the rails had been worn smooth. He said \$100,000 had been expended in experiments to do away with smoke and cinders. He thought that the road would cost \$1,000,000 a mile when everything was completed. On the fifteen miles of the road \$12,000,000 had already been spent by the Loan and Improvement Company. The witness said that owing to costly experiments and to other causes, he couldn't give definite information about the dividends. They would be paid, however, at a rate of 2'2 per cent for every three months.

"These \$15,000,000," said the chairman," will cover the cost of the road?" "Yes, sir," replied the witness. "What is the other \$6,500,000 of your stock but watered, then?"

"Well," rejoined the witness, with a smile, "I do not know what you call watered.

"Your expenditures are represented at \$15,000,000, jwhile your capital stock is \$21,000,000?

"Yes," said-Mr. Navarre," but you must remember that the stock sells at 43 or 44 and not at par."

Mr. Navarro subsequently displayed considerable feeling, saying that the impression seemed to brevail that a rand had been perpetrated. "Now, I want to know," he concluded, "If this road is worse than any other?"

"Oh, no! No, indeed?" broke in Mr. Sterne, laughing; "only yours is the most recent illustration of stock-watering that we have."

PASSENGERS AND RECKIPTS. with smoke and cinders. He thought that the road

PASSENGERS AND RECEIPTS. Benjamin Brewster, a large stockholder in the New York Elevated Road since 1877, then testifled in regard to that road. There were about \$3,000,000 bonds and stock, he said, on the old Greenwich-st. structure. A cash expenditure of over \$10,000,000 had been made on the fifteen miles of road. He agreed with Mr. Navarro that either road would have been glad to operate its line in-dependen to f the other had the Rapid Transit Commission made it possible. He dweit at length on the advantages that followed the union of the two reads in diminishing the chances of accidents, and thought that the large were low when one considered that the future maintenance of the structure was still an unsolved problem. "Are you putting aside a fund for this contingency t" asked Mr. Sterne; and Mr. Browster replied that the road was not yet wholly opened, and that such a fund could not be laid aside yet for such a purpose. He did not think that a dolar of the earnings had gone into the construction account. The roads, he said, could not carry all day at five-cent rates. The average rate was about seven and a half cents, and in order to make as much as now the roads would have to carry 10,000 for every 100,000 few carried if the fares were reduced to five cents. The greater portion of the traffic north and south was during the half-rate bours. pission made it possible. He dwelt at length on the

following statement of passenger revenue for the dicket whose dimensions are most inspiring to Republic cans throughout the Union.

	Passengers.	Revenue.	F
Third Avenue Line— July August September	2,222,825 2,222,623 2,491,426	\$165,632.72 164,406.20 183,825.10	-
Ninth Avenue Line- July August. September	318,349 100,658 301,485	22,989 90 21,399 53 21,422 65	200
Sixth Avenue Line— July August September	1,316,492 1,263,323 1,676,440	104,974 34 99,320 76 128,910 35	
Recapitulation for 3 months— Third Avenue. Night Avenue.	6,986,924 919,487 4,156,545	\$573,854.05 65,803.10 327,805.46	
Totals	12,012,956	\$906,962 60	ij

THE STANDARD OIL COMPANY AGAIN.

The last witness was John D. Archibald, who testified

in relation to the Standard Oil Company, of which he is a director. He said he was president of the Acme Oil Com, pany of Titusville. He said there were thirteen directers of the Standard besides himself, but named only the following: John D. Archibald, John D. Rockafeller, William Rockafeller, Henry M. Flagler, Charles Lockhart, William G. Worden, O. B. Jennings, S. J. Hurkness, J. M. Camden, Charles Pratt and J. A. Bostwick. He J. M. Camden, Charles Pratt and J. A. Bostwick. He denied that the Acme Company was controlled by the standard. The capital stock of the Standard, be understood, as \$3,500,000. In answer to Mr. Sterne's question as to want his function as a director of the Standard was, the witness caused much laughter by replying promptly, "I'm a clamorer for dividends." "What dividends do they pay f' asked Mr. Sterne. "I never have any difficulty in carrying mine off," rejoined the witness. Mr. Archibnid refused to state the net rate at which he was shipping refined oil to New-York, and the chairman remanded blim that his refusal would be reported to the Legislature. In 1875 he got better rates as an individual than he did subsequently as president of the Acme. He had never seen the contract between the Standard and the rational companies stipnisting that certain rates should be granted to certain firms. The witness's memory afterly failed him as to what rates he paid six months ago. He Indied to certail figure. The willness's memory afterly failed him as to what rates be paid so; months ago. He regarded the rates between himself and the roads as business secrets. He was an active competitor of the Standard, Canries Prait & Co. and others in the oil market, and the Standard, he said, did not make his traffic rates. He made the best arrangements possible. The committee will meet again at 10 a. m. to-day.

THE OHIO TRIUMPH.

WHAT THE NEWSPAPERS THINK OF IT.

WHAT THE NEWSPAPERS THINK OF IT.
A PROBABLE FORLORN HOPE FOR THIDEN.
From The New-York Herold (Ind.).

If New-York should follow the example of Ohio, Mr. Triden would simply lose his labor by intriguing any further for the Democratic nomination, and he may prefer that some other candidate should had a forlorn hope. The result in Ohio tends to a Republican success in New-York, and should thus be the acusi effect Mr. Triden may bid a long farewell to his Presidential hopes. It is hard to say whether this victory in Ohio simplifies or complicates the internal situation of the Republican party. While it seems to lastire the election of a Republican President, it is difficult to say how it will affect the chances of particular candidates. It is tolerably clear, however, that the party will not nominate General Grant from mere discouragement and despair. It will no longer be thought that he is the only man that can save the party, after it has become evident that the Republicans can succeed with any reasonably popular candidate. Only will go into the National Convenitor with a strong front either for Mr. Sherman or Mr. Hayes. Mr. Braine will be encouraged, and he mas troops of friends in several of the Western States.

SOLEMN WARNING AGAINST WHISPERS.

SOLEMN WARNING AGAINST WHISPERS.

From The New York Worls (Dem.)

All that can be asserted positively of the result in Onto te-day is that the Republicans have failed to take tan great commonweath out of the wavering into of States doubtful in 1880, and to plant it, as they hoped to plant it, in the van of the Republican column where of old it used to stand. Mr. Beams stands on as fair a footing to-day in Maine as Mr. Sherman in Ohio, Mr. Ewing has been beaten, as he elected to be, when at the outset of his causers he de idherately abandoned the strong ground of an outright bemocratic protest against the vertoes of President Hayes and undertook to counter with his own fluincial theories the stalwart facts of a magnificeat harvest in the West, of ungarialeded crops at the South and of an inflowing lide of gold from Europe. The stalwerts of New-York have put their contest against the Democrats of New-York have put their contest against the Democrats of New-York on the very issue upon which Mr. Ewing so fataily failed to grapple with them in Ohio. Les this lesson of yesterday be had well and instantly to heart by the Democrats of the Empire State. Let us have no more whisecrains with Mr. Syphier or Mr. Springer to the discredit of the Democratic lenders who stood so gallantly with Senator Bayard for a firm adherence to constitutional methods in the repeal of unconstitutional enciments. Let us have no more connective with Governor Robinson as their leader and representative, stand for the old Democratic principles of Hard Morey, Home Rule and strict economy in the public service. Standing for these, the lesson of Ohio is that they have nothing to fear and everything to hope.

An improvement Company in the Palt of 1875. He was then a director in the Mctropolitan. The nominal capital stock of the Loan Company was \$100,000. \$25,000 being paid in. Its business was to build public works, make loans, etc. The gentlemen who took possession of the Loan and improvement Company in the Fall of 1875 did so with the intention of constructing the Gilbert Road, taking pay in the stock of the latter. The stockholders of the Gilbert Road were willing that the company should build the road. The Gilbert Road had then expended about \$650,000.

"At New-York or at Albany i" asked Mr. Sterne; but the witness was ignorant how it was expended. It subsequently appeared, however, that of this \$650,000 for work done on foundations. Two years after the organization of the Loan and Improvement, the men in it became interested in the Gilbert Road. The witness said that he paid from 20 cents to par for his stock, before that the paid from 20 cents to par for his stock, before that the capital stock of the Loan and Improvement, the men in it became interested in the Gilbert Road. The witness said that he paid from 20 cents to par for his stock, before that the paid from 20 cents to par for his stock, before that the road from the Loan and Improvement, the men in it became interested in the Gilbert Road. The witness said that he paid from 20 cents to par for his stock, before that the road from the Loan and Improvement, the men in it became interested in the Gilbert Road. The witness said that he paid from 20 cents to par for his stock, before that the paid from 20 cents to par for his stock, before that the paid from 20 cents to par for his stock, before that the paid from 20 cents to par for his stock, before that the paid from 20 cents to par for his stock, before that the paid from 20 cents to par for his stock, before that the paid from 20 cents to par for his stock, before that the paid from 20 cents to par for his stock, before that the paid from 20 cents to par for his stock, before that the paid from 20 cen cears is too brief a time to cross from the hearts of the interient people the remembrance of what was gained then General Lee handed bits sword to General Gran it Appendates Court Mouse, in Abril 1865. The ques-tion that is now beiere the country is, Will New York de ion that is now before the country is, Will New-York of is well as Ohio ? Will this State remove the last linger ing doubt?

ONE CHANCE LEFT FOR TILDEN.

From The Daily Graphic (Ind.)
Tuesday's voting in Ohio effectually disposes

Tuesday's voting in Ohio effectually dispose, of one Onio Democratic candidate for the Fresidency it 1880. Allen G. Thurman was "the favorite son," but the crushing defeat of General Ewing places Allen G. Thurman in the list of impossible candidates. It is idle to deny that the burial of Thurman improves Mr. Triden's chances very materially. He still has his barrel of money, he has "his claims" about being cheated and of the Presidency in 1820. chances very materially. He still has his barrel or money, he has "his claims" about being cheated out of the Presidency in 1876, and he has all his old ingenuity in bunting up delegates and in fixing conventions. If the "sags" can elect Robinson in November he would beem to have the Democratic Presidential homination in his bands. If the Republicans sweep New-York in November, Mr. Hendrick's' chances as a candidate will be greatly improved, and Mr. Tilden's proportionately weakened. But after a Republican success in New-York in 1879 the chances of the election of any Democrat to the Presidency in 1880 will not be very great.

NO END OF REASONS FOR IT.

From The New-York Evening Express (Lem.)

The Republicans have succeeded by extraordinary efforts which can hardly be repeated in a
Presidential year. Their candidate was personally
popular. He is a rich man and a banker, and had the
support of the capitalists of the State, and especially of
the National banks, whose profitable monopoly the success of Ewing might have imperilled. The National
banks were appealed to for large contributions for a
contest in which their interests were so deeply involved. The Federal clerks and officers in all the departments were taxed, and some of their twice, for
Indos to carry on the campaigo. John Sheiman made
Foster's battle a personal affair, and took an active
part in it, making speeches himself and directing its
general conduct in spite of civil service rules. Carl
Schurz, another Cabinet officer, also took the stump for
Foster. The President himself him ried to Ohlo, and dat
what he could to forward the cause. Indeed, the whole
influence of the Federal Government was concentrated
on that State to secure Foster's election, while Blaine,
Chandier, Logan and other prominent Republicans
were brought in. For two months the whole State has
rung with Republican declamations and misrepresentation people in the Republican ranks, the bloody shirt
was waved. A great deal of money was used.

DISCOURAGING TO REPUBLICAN BOLTERS.

was waved. A great deal of money was used.

DISCOURAGING TO REPUBLICAN BOLTERS.

From the New York Evening Part (Ind. Rep.)

The canvass in Ohio involved chiefly the Southern questions which have been revived by the doings of the extra session of Congress. It would be asking too much of human nature to expect that the Republicans should retuse the Democratic challenge to a contest on the very ground which they would have chosen, and on which they felt most secure. The effect of Threshop's vote will be to sinculate in the Republican canvass in this State the discussion of these revived questions, largely to the exclusion of others. We need scarcely say that we believe that this result is unfortunate, for many reasons. Their are new subjects, relating to the present and future outsiness interests of the State and the Nation, to which parties might well turn their attention, agreeing to put behind them differences which should long ago have been settled. It would be their attention, agreeing to put behind them differences which should long ago have been settled. It would be affectation, however, to shut one's eyes to actual facts. The old-tashioned Republican impulse is one of these facts; and even Mr. Curtis and other disantisfied members et his party, who refuse to shout for the machine or to torget unit principles, will find it harder to make head against the momentum of the Republican mass than they would have found it at any other time in the last six years. DEATH TO THE CONFEDERATE REVIVAL.

DEATH TO THE CONFEDERATE REVIVAL.

From The Albang Express (Leg.)

The news from Ohio is cheering. The Confederate uprising, which threatened repudiation and revontion, is met by the uprising of the loyal Netth, earnest for the fray it has not eagerly sought. It was slow to believe that the South meant freason in 1861—11 has been slow to believe now that the life of the Nation is again in danger. Now it sees it; and it will not be slow in throttling the enemy. Thus California and Maine have said. Thus now speaks Ohio. Thus will new-York speak in November. The Confederacy and all its devices must die. A HARD FIGHT GLORIOUSLY WON,
From The Utica Heraid (Rep.)
The Republicans went into the canvass upon

The Republicans went line the canvass upon that such a fund could not be laid aside yet for such purpose. He did not think that a dolar of the earnings had gone but the construction account. The roads, he award to could not carry all day at five cent rates. The average rate was about seven and a half cents, and in order to make as much as now the roads would have to parry 150,000 for every 100,000 new carried if the farms were reduced to five cents. The greater portion of the traffic north and south was during the half-rate hours.

In the course of the inquiry there was submitted the

"ANTICIPATIVELY EXHAUSTED": Pron The Albany Argus (Dem):

Ohio has apparently gone Republican by an increased indently over 1878. If the Democrats had reclaimed the State the result would have given equal pleasure and surprise to their Eastern Brethrein. As it is, the expected but regretted has happened, and New-York remains the pivotal and banner Northern Democratic State. The Republicans of New-York get no improvement and the Democrats no set-tock from this Ohio result. The former had anticipatively exhausted and the latter had discounted the effect of 14. General Ewing made a gallant fight on su exploded theory of finance, against Government money and fixed facts. Now let the Onio Democracy enquer a scientific frottier for 1880 on hard money. The Reform advantage of the New-York Democracy and the Ring seridou of the Republicans—preved on and run by the pirares of all politics—are imaffected by the Ohio result. Here is the haitle for righteous rule in 1879; 1880 can take care of libeil. Forward to daty and victory. "ANTICIPATIVELY EXHAUSTED"!

NEW-YORK WILL FOLLOW SUIT.

The grand uprising of the North is fitly itsurated by the grand uprising of the North is fitly itsurated by the grand uprising of the North is fitly itsurated by the grands news from Onio this morning. The Solid South has gone too far. The "acpeat to the goople" by the Democratic majority which tred to starve the Government to death rather than permit it starve the Government to death rather than permit it to protect its own elections from audacious franch, has been heard, and is now being answered—answered with an emphasis that will resound down to Yazoo, and be upt to set the unterrate of the shotgan to tainking. The new attack upon the Union meets a response like that which came back from the firing on Fort Sunier, and like that it is to be followed by the utter defeat and the final overthrow of the conspirators who plot against the Nation's life. It is the first schience of the decision of Issio, it means the complete nod hasing emencipation of this country from the curse of State severaginty and the blight of Southern domination. New-York will imitate Ohio.

SOFT MONEY DID IT.

Prom The Harrisburg Patriot (Dem.)

We can only say that we believe the Democratic defeat is due to the mistaken noticy of miking the money question the prominent issue. The National element evidently continued itself in existence simply to find a market while hard-money Democrats retued to your for Ewing. But Onto has not cast a Democratic Electoral yoke for twenty-seven years, and their force the Republicans main nothing by their victory. They shaiply save themselves from annualisation.

victory. They sharply save themselves from anamaliation.

PENNSYLVANIA AND NEW-YORK ALL RIGHT.

It may be safely predicted that the "unnitached" voters in Pennsylvania and New-York, seeing the drift of things in the West, will join the Republican ranks. Men who have very little partisin feeling or prejudice are apt to have a keen eccas for the wilming side. They naturally gravitate to the party which is likely to control the Government and give direction to pushe affairs. The result in Onio will start them will reach it before the November election take place. Onto has not only saved herself from the disasters which would follow the adoption of the "idea," to which she has given a name, but she has strengthened the nands of the frience of housest money and equal rights in Pennsylvania and New-York. All honor to the surdy Republicans of the Buckeye State, and to the men who led them to victory! victory 1

A SOLID REPUBLICAN COLUMN IN NOVEMBER.

A SOLID REPUBLICAN COLUMN IN NOVEMBER. From The Philadelphia Inquirer (Rep.)

A tide running so strongly as this on the eve of a Presidential coness whi not turn within one short year, and therefore Onle can no longer be regarded as even "doubtful" in 1889. It is firmly fixed in the Republican column, an integral part of the coming "Solid North," made necessary by the ominius threats of a "Solid South." Further, the result in Onle indicates a solid Republican column this Fall. With Maine, Connecticut, Onle and California leading the way, and Pennsystania morally certain to maintain her old place, New York may be relied on to fall into one for Cornell, thus making the Thiden Democratic campaign a dead failure at every point, and the Republican triumph complete and overwhelming.

A GRAND VICTORY.

From The Hardord Courant (Rep.)

This is a grand Victory, won against the combined efforts of both hard and soft modes. Democrats, it means that on a purely national election the Republican party would carry Ohto by 50,000 majority. It means that the people of Onto have considered the tendencies of the Democratic party, as exhibited in Congress, and have decided that it is time to call a half before turning the Government aver compacts to the procedure of the congress. gress, and have decided that it is time to call a fail to fore turning the Government over compositely to the control of the rebel brigadiers and their Northern alites. It means that they are disgusted with a party which has no regard for principles but is willing to surrender everything in the shape of principle for the chance of success. It means that in the Indement of the votes of Outo the United States is a Nation, and not a mere con-federacy of "sovereign States."

A LESSON TO NARROW-MINDED LEADERS.

From The Baltimore Gaselle (Desa.)

It is to be sincerely hoped that the false and marrow-minded leaders of the Democratic party, who have marshalled the Democratic hoats to innominous defeat no less than a matt-dezen times, have now taken their final lesson. They have been deteated upon issues which have been repeatedly rejected as the poils, and if it be at all possible to quicken the apprehension of a fool by braving him in a mortar, we may believe that the financial quacks have at last accumulated wisdom enough to sit down by the rivers of Eadylon and weep when they remember their follies. When this standard of the true faith is raised in every State there will be a chance for political salvation, and not until then.

out of their custody for re-trial in his court. The facts in the case are briefly as follows: Burwell and Lee Reynolds (colored) were jointly ndicted in the County Court of Patrick County, Va., in January, 1878, for murder. Atter several trials, the case of Burwell Reynolds resulted in a hung jury, and that of Lee Reynolds, his brother, in a verdict of guilty of murder in the second degree. Lee Reynolds was sentenced to eighteen years' imprisonment in the Penitentlary, and both were temporarily remanded to the county Jail. Shortly thereafter, in November, 1878, Judge Rives granted a petition for the removal of both Cases to the Circuit Court of the United States for the Western District of Virginia, upon the ground that the application of the prisoners, while on trial in the State Courts, for a jury comthat they had thereby been deprived of the "equal pro-tection of the law" guaranteed to them by the Fourteenth amendment. He, therefore, ordered a writ of habeas corpus cum causa" to be issued, and the United States Marsaal by virtue thereof took the prisoners out of the custody of the State officers, and held them for re-trial in the United States Circuit Court. Upon this state of facts the General Assembly of Virginia passed joint resolution directing the Governor to institute mandamus proceedings in the United States Supreme Court to recover possession of the prisoners and prevent their re-trial before a Federal tribunal. The subject matter of the controversy thus raised is the abstract one of jurisdiction. The compount is that Judge Rives has invaded the sovereign rights of the State. The question presented is, which has jurisdiction to try these prisoners, the State or the United States. Attorney-General Field and Juage Robertson, on behalf of the State, argue that these are cases in which the Commonwealth of Virginia

Junge Robertson, on behalf of the State, argue that these are cases in which the Commonwealth of Virginia is a party in its character as a sovereign state, and that an inferior Feoeral court created by act of Congress can never, under any circumstances, be clothed with power to deal with a State or to decide any question of controversy with her respecting or arising out of her sovereignty. It she is amenable to any judicial tribanal under the Constitution, that tribunal is the United States Supreme Court. They argue furthermore, that even the latter has no control over the State of its courte, except when a Federal question is brought before it by a writ of error from the State Court of as-t resort. The State courts, and not the United States Courts, are the exclusive tribunals for the trial of offences committed within the State and against the laws.

Coursel for the petitioners further maintain that section 641 of the Revised Statutes, upon which Judge Rives based his action, does not confer the jurisdiction claimed. The right to have a jury of a particular race or color, in whole or in part, is not one of the rights which the statute in question secured. It merely extended to the colored race rights already existing and enjoyed by white citizens, and provided that taxe rights should not be demed to colored citizens.

Antorney-General Devens and W. Willoughby in opposing the petition for mandamus myre, first, that the Supreme Court has no jurisdiction in the present case; that the Commonwealth of Virginia retuned to make itself a party to the proceedings in the Circuit Court; that the entition cannot, therefore, be considered as anything in the nature of an arpoliate pieceeding interferon, and that as State cannot institute an original suit heteromer itself and its own citizens. Bey argue that all cases involving a Federal question may be brought under the supervision of the Federal fadicial power, even though a State be a party. This point is argued by the conneal in opposition to the potatober at considerab even though a State be a party. This point is argued by the coinsel in opposition to the potitioner at considerable length and with the criation of authorities. They discuss the criminal law of a State, but maintain it constitutionality when a Federal question is involved, and when the equal protection of the laws is desired by the state to any class of its claimens. The argument will be concluded to mercow by Judge Robertson, on behalf of the neutroner.

A CLERGYMAN OFFENDS HIS PEOPLE. Bosron, Oct. 15 .- It is reported that the

petitioner.

Rev. C. C. Carpenter, paster of Mt. Pleasant Church (Unitarian), in Roxbury, will resign next Sunday, box cause his advocacy of the cause of General Butler has given offence to a large number of his congregation. HEAVY LOSS OF FUEL

CONCORD, N. H., Oct. 15 .- It is reported that a fire broke out yesterday on woodland owned by Mr. Ela, of Alientown, which burned over considerable ter-ritory, and consumed about 2,000 cords of wood belong-